

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 2885**

with committee amendments

## **STATE OF NEW JERSEY**

DATED: JUNE 11, 2015

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2885.

As amended and reported by the committee, Senate Bill No. 2885 increases the age for requiring a person to wear a helmet when bicycling, roller skating, or skateboarding to 17 years of age and younger. Current law requires persons 16 years of age and younger to wear a helmet when bicycling, roller skating or skateboarding.

The amended bill also extends this helmet requirement to ice skaters and operators of non-motorized scooters. Currently, only roller skaters and skateboarders are required to wear helmets. The amended bill exempts figure skaters involved in organized competitions from the helmet requirement.

Currently, a parent or legal guardian of a person who fails to wear a helmet when bicycling, roller skating, or skateboarding is subject to a fine of up to \$25 for the first offense and up to \$100 for the second offense. Under the amended bill, these penalties also would be imposed on a parent or legal guardian of a person who fails to wear a helmet when ice skating or operating a non-motorized scooter.

Under current law, it is unlawful to manufacture, assemble, sell, offer to sell, or distribute bicycles, roller skates, or skateboards without a warning notice advising customers of the legal provisions concerning the wearing of approved helmets and appropriate personal protection equipment, and persons selling or renting bicycles, roller skates, or skateboards are required to advise their customers of these legal provisions and make helmets available to persons subject to the helmet requirement. Businesses complying with these requirements would not be liable in a civil action for damages for any physical injury sustained by a bicyclist, roller skater or skateboarder who fails to wear a helmet. The amended bill expands these requirements and civil immunity provisions to ice skates and non-motorized scooters.

The bill does not amend section 8 of P.L.1997, c.411 (C.39:4-10.12), and therefore, it is the committee's understanding that the bill's provisions do not apply to operators and patrons of roller skating rinks subject to the "New Jersey Roller Skating Rink Safety and Fair Liability Act," P.L.1991, c.28 (C.5:14-1 et seq.).

COMMITTEE AMENDMENTS:

The committee amended the bill to make a technical correction to the citation for a pamphlet law.